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NON-PUBLIC ☐

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REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-583-853, A-588-993

EFFECTIVE DATE: 07/18/2016 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Certain Crystalline Silicon Photovoltaic Products from Taiwan (A-583-853) assembled in Japan (A-588-993)

This is an informational message, no action is required.

1. On 7/18/2016, Commerce added a company-specific case number in ACE for certain crystalline photovoltaic products from Taiwan (A-583-853) assembled in Japan (A-588-993).

2. The merchandise covered by this order is crystalline silicon photovoltaic cells, and modules, laminates and/or panels consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including building integrated materials.

Subject merchandise includes crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Modules, laminates, and panels produced in a third-country from cells produced in Taiwan are covered by this order. However, modules, laminates, and panels produced in Taiwan from cells produced in a third-country are not covered by this order.

Excluded from the scope of this order are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS). Also excluded from the scope of this order are crystalline silicon photovoltaic cells, not exceeding 10,000mm<sup>2</sup> in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cells. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Further, also excluded from the scope of this order are any products covered by the existing antidumping and countervailing duty orders on crystalline silicon photovoltaic cells, whether or not

assembled into modules, from the People's Republic of China ("PRC") (See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order, 77 FR 73018 (December 7, 2012); Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Countervailing Duty Order, 77 FR 73017 (December 7, 2012).)

Also excluded from the scope of this order are modules, laminates, and panels produced in the PRC from crystalline silicon photovoltaic cells produced in Taiwan that are covered by an existing proceeding on such modules, laminates, and panels from the PRC.

Merchandise covered by this order is currently classified in the Harmonized Tariff Schedule of the United States ("HTSUS") under subheadings 8501.61.0000, 8507.20.8030, 8507.20.8040, 8507.20.8060, 8507.20.8090, 8541.40.6020, 8541.40.6030 and 8501.31.8000. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of this order is dispositive.

3. As discussed in paragraph 2 above, Commerce considers modules, laminates, and panels produced in a third-country from cells produced in Taiwan to be covered by the scope of this order. However, modules, laminates, and panels produced in Taiwan from cells produced in a third-country are not covered by the scope of this order. Since importers may import modules, laminates, and panels produced in a third country from subject solar cells produced in Taiwan, third-country case numbers have been established to allow such merchandise to be properly claimed as subject merchandise upon entry. Paragraph 4 provides information for an additional third country company-specific case number for which we have established a case number for merchandise covered by the scope of this order (see message 5090304 dated 03/31/2015).

4. The following third country company-specific case number corresponds to a specific Taiwanese producer and/or exporter of Taiwanese solar cells, established for merchandise from Japan that is covered by the scope of this order. This company-specific case number has been assigned for antidumping Customs purposes.

Third Country: Japan

Taiwanese Producer and/or Exporter: All others

Case Number: A-588-993-000

5. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International

Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by CLU: JL)

6. There are no restrictions on the release of this information.

Alexander Amdur

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party